

Court of Appeals, State of Michigan

ORDER

Ruby & Associates PC v George W Smith & Company PC

David H. Sawyer
Presiding Judge

Docket No. 297266

Kathleen Jansen

LC No. 2003-054535-NM

Pat M. Donofrio
Judges

In lieu of granting reconsideration, the Court orders that the October 4, 2011, opinion is hereby AMENDED. Section IV of the opinion is amended as follows:

The old opinion read: "Because respondents do not contest that petitioner is entitled to attorney fees in an amount equal to one-third the settlement amount, we instruct the trial court on remand *to enter an order awarding petitioner \$70,000 in attorney fees*" (Emphasis supplied).

The new opinion reads: "Because respondents do not contest that petitioner is entitled to attorney fees in an amount equal to one-third the settlement amount, we instruct the trial court on remand to enter an order awarding petitioner not more than \$70,000 in attorney fees in accordance with MCR 8.121 and the parties' contingency fee agreement."

In all other respects, the October 4, 2011, opinion remains unchanged.



A true copy entered and certified by Larry S. Royster, Chief Clerk, on

NOV 21 2011

Date

A handwritten signature in black ink, appearing to read "Larry S. Royster", is written over a horizontal line. Below the line, the words "Chief Clerk" are printed.

Chief Clerk